

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VISHAL SAXENA, PH.D.,
Plaintiff,

v.

UNIVERSITY OF MASSACHUSETTS
CHAN MEDICAL SCHOOL,
Defendant.

CIVIL ACTION NO. 4:19-CV-40007-TSH

**DEFENDANT, UNIVERSITY OF
MASSACHUSETTS CHAN MEDICAL
SCHOOL'S, OPPOSITION TO
PLAINTIFF'S MOTION TO
RECONSIDER MOOTNESS**

Defendant, University of Massachusetts Chan Medical School (the "Medical School"), hereby submits this brief Opposition to Plaintiff's Motion to Reconsider Mootness to highlight the fact that Plaintiff's Motion to Reconsider misstates the circumstances pertaining to his previously filed Motion for Sanctions (Docket No. 55). To be clear, Plaintiff withdrew his Motion for Sanctions that he filed pro-se on September 9, 2021, at the hearing on November 16, 2021, see Docket Nos. 73 & 75. Therefore, this Court did not even have the opportunity to rule on Plaintiff's Motion for Sanctions.¹

¹ Plaintiff filed his Motion for Sanctions at a time when his attorney was withdrawing from the case. See Exhibit 1 (Email from Vishal Saxena to Brian M. Casaceli).

RESPECTFULLY SUBMITTED,

**UNIVERSITY OF MASSACHUSETTS
CHAN MEDICAL SCHOOL**

By its attorneys,

/s/ Brian M. Casaceli

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Brian M. Casaceli, Esq., BBO #690580

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Dated: May 17, 2023

CERTIFICATE OF SERVICE

I, Brian M. Casaceli, hereby certify that this document(s), filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Brian M. Casaceli

Brian M. Casaceli

Dated: May 17, 2023

EXHIBIT 1

From: [Vishal Saxena](#)
To: [Casaceli, Brian M.](#); [Sigel, Jonathan R.](#)
Date: Tuesday, September 7, 2021 4:43:43 PM
Attachments: [Saxena motion.pdf](#)

Dear Mr. Casaceli,

I am going to file the following motion with the court. Could you please let me know if you assent to it or not. If I don't hear from you in the next few minutes, I will file it pro se.

My attorney is withdrawing and you can reach him to confirm.

Thanks.

Vishal Saxena